



**POLICY AND ADMINISTRATIVE
PROCEDURES**
Manual of Policies and Procedures

Title

DEPARTMENT OF CORRECTION CORRECTIONAL POLICE OFFICER

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5 IC 11-8-9-1 <i>et seq.</i> IC 35-47-2-2	00-01-103 02-03-103 01-02-107 02-03-110 01-05-101 03-02-103 02-01-109 03-02-108 02-01-112 03-02-109 02-01-113 04-03-103 02-03-101 04-03-104 02-03-102	

I. PURPOSE:

The purpose of this policy and its administrative procedures is to establish the duties and responsibilities of staff who are appointed to serve as Correctional Police Officers in the Department of Correction.

II. POLICY STATEMENT:

In accordance with IC 11-8-9-1 *et seq.*, the Commissioner may appoint staff of the Department of Correction to serve as a Correctional Police Officer. In this position, the staff person shall have the power to:

- Make arrests;
- Conduct searches and seizures of a person or person's property;
- Carry a firearm;
- Exercise other police powers with respect to the enforcement of Indiana laws and Department of Correction policy and procedures.

The intent of the appointment of Correctional Police Officers is to provide a trained force of staff to enforce applicable laws as they relate to the operation of the Department. Correctional Police Officers shall only carry out those duties and responsibilities as prescribed by Federal/State statute, local ordinances and these administrative procedures. Correctional Police Officers possess arrest powers.

The staff person appointed shall meet the qualifications for a Correctional Police Officer and successfully complete a training program approved by the Department of Correction and the Indiana Law Enforcement Training Board.

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III. DEFINITIONS:

For the purpose of this policy and its administrative procedures, the following definitions are presented:

- A. **ACTS WITHIN THE SCOPE:** Any act that involves parolees, offenders, or staff under the supervision of the Indiana Department of Correction. This includes any person who is involved in the commission of a crime involving an offender, Department property or contractual facility, including criminal activity occurring on facility property or in conjunction with an official Department function authorized by the Commissioner or Department policies and procedures.
- B. **CHIEF OF POLICE:** The staff person(s) designated by the Commissioner to oversee the operation of the Department of Correction Police Officer Force.
- C. **CORRECTIONAL POLICE OFFICER:** Department staff who have been appointed and who meet the qualifications and training requirements of the Department of Correction and the Indiana Law Enforcement Training Board.
- D. **ON DUTY:** Authorized work hours, including overtime hours, in accordance with the policies of the Indiana State Personnel Department while performing those job duties assigned by the Department.

IV. CORRECTIONAL POLICE OFFICER'S AUTHORITY:

In accordance with IC 11-8-9, the Correctional Police Officer's authority extends to any place in the State of Indiana while engaged in the performance of the duties of employment and for the purpose of carrying out the primary function of the Indiana Department of Correction.

A Correctional Police Officer may:

- A. Make an arrest;
- B. Conduct a search or a seizure of a person or property;
- C. Carry a firearm; and,
- D. Exercise other police powers with respect to the enforcement of Indiana laws.

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A correctional police officer may not make an arrest, conduct a search or a seizure of a person or property, or exercise other police powers unless the arrest, search, seizure, or exercise of other police powers is performed:

- In connection with an offense committed on the property of the Department;
- In connection with an offense involving an offender who is committed to the Department;
- In connection with an offense committed in the presence of the officer; or,
- While assisting another law enforcement officer who has requested the assistance of the Correctional Police Officer.

The Commissioner may additionally limit the exercise of the powers of the Department's Correctional Police Officers as indicated in Procedure VII below.

V. ORGANIZATION OF DEPARTMENT OF CORRECTION POLICE OFFICER FORCE:

The Commissioner shall appoint staff to serve as the Chief of Police to have direct oversight over the Department of Correction Police Force. The Chief of Police shall report directly to the Deputy Commissioner of Operations.

There shall be two (2) branches of Correctional Police Officers in the Department with a Chief of Police over each branch. The Chiefs of Police for the two (2) branches of the Correctional Police Officer Force shall be the Executive Director of Staff Development and Emergency Operations and the Chief Investigator in the Division of Internal Affairs.

Jointly the Chiefs of Police shall ensure overall compliance with Department policies and administrative procedures and Law Enforcement/Police guidelines. The Department of Correction Police Force command structure (ATTACHMENT A) shall be the Commissioner, Deputy Commissioner of Operations, Chief(s) of Police, Deputy Chief(s) of Police, Commander(s) and Officer(s).

VI. QUALIFICATIONS AND TRAINING:

Department of Correction staff who meet the following qualifications may apply to serve as a Correctional Police Officer:

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- Must be a citizen of the United States
- Must have at least five (5) years of corrections and/or law enforcement experience
- Must have had no disciplinary action taken against him/her for the previous 12 months
- Must submit to and pass a drug/alcohol screening upon request
- Must submit to an annual Criminal History (NCIC/IDACS) and Vehicle Operator's License (BMV) check
- Must possess a valid license to operate a motor vehicle
- Must have earned a High School Diploma or a G.E.D.

Vacancies in the Department's Correctional Police Officer Force will be posted and staff who meet the above qualifications may submit an application for the vacant position. Assignment to a Correctional Police Officer position shall be voluntary and shall be considered an ancillary duty to the staff person's regular duty assignment.

A Department Correctional Police Officer must successfully complete the training requirements set forth by the Indiana Law Enforcement Training Board, the Indiana Law Enforcement Academy and the Indiana Department of Correction.

VII. DUTIES AND RESPONSIBILITIES:

Acts within the scope of employment of Correctional Police Officers include, but are not limited to;

- A. Arresting offenders, staff and civilians committing a felony or misdemeanor while on state property or aiding an incarcerated offender in the commission of a felony or misdemeanor. The misdemeanor has to be witnessed by the Correctional Police Officer. Detaining, arresting, and taking into custody staff, contractors, offenders, or civilians for felony criminal offenses, i.e. trafficking cell phones, the possession, use, or trafficking of narcotics or weapons. Misdemeanor offenses such as trafficking in alcoholic beverages, tobacco or other unauthorized items of contraband will result in criminal information or probable cause to be prepared for presentation to the appropriate County Prosecutor.
- B. Arresting of an offender, staff, contractor, or civilian who has a verified outstanding felony or misdemeanor warrant while on state property.

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- C. Conducting searches and seizures in accordance with Department policy and administrative procedures and Indiana law.
- D. Providing temporary protective custody until proper authorities are notified and assume custody for minor(s) who are present when a civilian is arrested and no authorized responsible person is present to assume the care and custody.
- E. Transporting Department High Risk offenders to include arrest and detaining anyone who interferes with such a transport to the extent they jeopardize the security of the transport detail.
- F. Responding to escapes from Department Facilities or facilities under contract to house Department offenders, including: arresting and detaining offenders, staff and civilian individuals who are participating or acting as an accomplice in an escape in accordance with state statutes. (This includes pursuits and apprehensions of said individuals as well as collaborating with local law enforcement to affect an arrest.)
- G. Assisting with perimeter control of all Department facilities and surrounding areas during emergency situations (e.g., riots, executions, natural disasters, etc).
- H. Retention and storage of narcotics or controlled substances for: evidentiary reasons; transportation to laboratories, courts, other law enforcement agencies; and, the destruction of narcotics or controlled substances obtained in relation to a Department investigative case once the case is resolved.
- I. Provide assistance to outside law enforcement agencies upon approval of the Chief of Police or designee.
- J. Emergency assistance may be provided without prior approval in response to incidents that may involve the protection of others from the use of deadly force, loss of life or serious bodily injury, and only if the Correctional Police Officer believes they can successfully stop or control the situation, without personal injury to the Officer.

VIII. UNMARKED POLICE VEHICLES

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- A. The following facilities will identify a state-owned vehicle from their fleet to be utilized as an unmarked Police vehicle;

1. Central Office (COA)
2. Pendleton Correctional Facility (ISR),
3. Pendleton Juvenile Correctional Facility (PNJ),
4. Putnamville Correctional Facility (ISF)
5. Branchville Correctional Facility (BTC),
6. Miami Correctional Facility (MCF),
7. Westville Correctional Facility (WCC),
8. Wabash Valley Correctional Facility (WVC), and
9. Indiana State Prison (ISP)

PNJ will make their Police vehicle available to the Correctional Industrial Facility on an as needed basis.

- B. The vehicle will be registered and plated as a Police vehicle and equipped with communications equipment, siren, and red/blue emergency lighting (front and rear). The primary function for the vehicle will remain in control of the facility; however, it should be available to the facilities Correctional Police Officer, when needed for responding to emergency situations and prisoner transport.
- C. The facility may continue to use the vehicle for facility needs but with the strict understanding that only a Correctional Police Officer is allowed to operate the vehicle as a police vehicle and operate the emergency lights and sirens in responding to emergencies.
- D. Correctional Police Officers will be required to undergo and pass emergency vehicle operation training as approved by the Department before they will be permitted to operate a state-owned vehicle as an emergency vehicle.

IX. **ARREST AND TRANSPORT OF PERSONS NOT UNDER SUPERVISION OF DEPARTMENT OF CORRECTION:**

Under the circumstances indicated below, the arrest and transportation of persons not committed to or under the supervision of the Department is authorized, provided all applicable Departmental policies and procedures pertaining to arrests and transportation are followed. The arresting Officer shall maintain custody of

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the arrestee in order to complete the booking process.

- A. While on duty it is discovered that a person not under supervision has an outstanding felony warrant, the person may be detained and the issuing agency contacted to determine if that person is still wanted and that agency makes suitable arrangements for pick up.
- B. A Correctional Police Officer who is on duty, upon witnessing the commission of a crime, other than a traffic violation, by someone not committed to or under the supervision of the Department may arrest the person for the commission of that crime. The Correctional Police Officer will provide any additional support requested by the local law enforcement to affect the arrest.

X. IMPOUNDED/ABANDONED VEHICLES

- A. Vehicle inventory – When a motor vehicle is lawfully taken into custody or impounded, an officer shall conduct an inventory of the contents of the vehicle as required by applicable Department policies.

An inventory involves an examination of the items in a motor vehicle and may include items found in an accessible container, the contents of which cannot be readily ascertained by an examination of the container's exterior.

- B. An inventory may extend to locked areas of a vehicle when access may be gained without damage to the vehicle.
- C. When an inventory is performed, an officer shall prepare a list utilizing the Police Officer/Abandoned Vehicle Report (State Form #4166 – multi-copy report/not available online) identifying the various items observed during the examination.

XI. LIMITATIONS ON AUTHORITY OF CORRECTIONAL POLICE OFFICER:

- A. Correctional Police Officer appointment by the Commissioner does not authorize any action(s) that fall outside the scope of employment, i.e. moonlighting or performing police services for private business entities. In addition, Correctional Police Officers who are off-duty are not authorized to act as police officers on behalf of the Department, unless

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called into duty.

- B. Correctional Police Officers are not authorized to pursue, arrest, or detain any person for a violation of traffic laws.
- C. Correctional Police Officers are not authorized to conduct criminal investigations of persons not committed to or under the supervision of the Department, except as authorized in these administrative procedures.

XII. COMMISSIONING OATH:

Correctional Police Officers will be appointed by the Commissioner of the Department of Correction. Appointed Department of Correctional Police Officers will commit to upholding this policy and administrative procedures, as well as the overall mission and goals of the Department through the administration of the following oath:

I, (officer says name), do solemnly swear to support the Constitution and the laws of the United States of America and the Constitution and the laws of the state of Indiana, and that I will faithfully discharge, according to the best of my abilities, the duties of my office as a Department of Correction Police Officer for the Indiana Department of Correction and the citizens of the State of Indiana.

This oath shall be administered after the staff person has been appointed and successfully completed all initial training required for Correctional Police Officers.

XIII. BADGES AND IDENTIFICATION CARDS:

- A. Correctional Police Officers shall be issued special badges and identification cards by the Department which will identify them as authorized Department of Correction Correctional Police Officers. Only those badges authorized and provided by the Department shall be used by Department Correctional Police Officers in the performance of their duties.
 - 1. There will be only one (1) identification card issued to each Department Correctional Police Officer.
 - 2. The badges and identification cards may not be copied or reproduced.
 - 3. All identification card replacement requests must be presented to the appropriate Chief of Police.
 - 4. Replacements of identification cards will be issued only with the

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written approval of the appropriate Chief of Police.

- B. Lost or stolen identification cards and/or badges shall be reported immediately in writing to the respective Facility Head, Chief of Police and local law enforcement. The circumstances of the lost or stolen identification card and/or badge shall be reviewed to determine if negligence precipitated the loss. If so, the Department Correctional Police Officer may be subject to disciplinary action and/or costs of a replacement identification card and /or badge.
- C. Correctional Police Officers may display the Badge on their person while on duty, on facility grounds.
- D. Correctional Police Officers that hold custody classifications may wear the badge on the front right hip while in the class A uniform.
- E. The Badge shall be removed from the belt and will not be displayed off grounds unless it is displayed in conjunction with a departmentally issued side arm.
- F. When armed, the badge is to be worn on the same side the weapon is carried.
- G. The badge shall not be worn when off duty.

XIV. USE OF FORCE:

The use of physical force by Correctional Police Officers shall be in compliance with the use of force continuum in the administrative procedures for Policy 02-01-109, "The Use of Physical Force," and Policy 03-02-109, "The Use of Physical Force in Juvenile Facilities." Correctional Police Officers shall only use that amount of physical force necessary to control the situation and ensure the safety and security of all persons involved.

Additionally, Correctional Police Officers shall comply with the administrative procedures for Policy 02-01-112, "The Use of Restraint Equipment," Policy 03-02-108, "The Use of Restraint Equipment with Juveniles," and Policy 02-01-113, "The Use of Firearms and Chemical Agents."

Any Department of Correction Police Officer involved in the use of physical force, including the use of restraints and firearms/chemical agents shall report the

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use of force in accordance with the applicable policy and administrative procedures.

V. SECONDARY EMPLOYMENT:

Secondary employment shall be authorized only in situations in which the staff person is not presenting themselves as a Department of Correction Police Officer. The Department of Correction Police Officer shall have no police powers outside the scope of their employment with the Department of Correction. Additionally, all training provided by the Indiana Law Enforcement Training Board to Department of Correction Police Officers is only applicable to the individual while they are employed with the Indiana Department of Correction. Training obtained as a Department of Correction Police Officer is not transferrable to any law enforcement agency and/or police department. The Law Enforcement Training Board or another State's equivalent training shall not recognize training obtained as a Department of Correction Police Officer as a substitute for any required law enforcement agency and/or police department training.

VI. APPLICABILITY:

This policy and its administrative procedures are applicable to all Department of Correction facilities and staff.

Signature on File

Bruce Lemmon
Commissioner

6/20/11

Date

**CORRECTIONAL POLICE OFFICER FORCE
CHAIN OF COMMAND**

